

said jurors summoned do not attend, the said sheriff shall immediately summon as many jurors as may be necessary, with the jurors in attendance, to furnish a panel of twenty jurors, in attendance, and from them, each party, or its, her or their agent if either be not present in person or by agent, the sheriff, for him, her or them, may strike off four jurors, and the remaining twelve shall act as the jury of inquest of damages; and before they act as such, the said sheriff shall administer to each of them an oath or affirmation, as the case may be, that he will justly and impartially value the damages which the owner or owners will sustain by the use or occupation of the same required

Oath.

Inquisition to be reduced to writing and to be recorded by clerk of Circuit court.

If set aside, court may direct another inquisition.

by the said company; and the jury shall reduce their inquisition to writing, and shall sign and seal the same, and it shall then be returned by said sheriff to the clerk of the circuit court of his county, and by said clerk filed in his court, and shall be confirmed by said court at its next session, if no sufficient cause to the contrary be shown, and when confirmed, shall be recorded by said clerk, at the expense of said company, or owner or owners of property as the court may award; but if set aside the said court may direct another inquisition to be taken in the manner above prescribed, and such inquisition shall describe the property taken, or the bounds of the lands condemned, and the quantity and duration of interest in the same, valued for the company, and such valuation when paid or tendered to the owner or owners of said property, or his, her or their legal representatives, shall entitle said company to the estate and interest in the same thus valued as fully as if it had been conveyed by the owner or owners of the same, and the valuation if not received when tendered, may at any time thereafter be received from the company without cost by the said owner or owners, or his, her or their legal representative or representatives, and every juror shall be entitled to one dollar per day while in attendance, and the sheriff to his regular fees as for similar services; *Provided always*, that no timber shall be cut on any land other than the bed of the rail road company, by order of the said rail road company, or taken by them for the use of the said road without the consent of the owner.

Proviso.

Power to contract with any corporation for the use of road, &c.

SEC. 8. *And be it enacted*, That if it shall be necessary for the said Westernport and Potomac rail road company in the selection of the route or the construction of the road by them to be laid out and constructed, or any part of it, to connect the same with or to use any rail road turnpike road or bridge, made or erected by any com-